

Notice of Allowability

Application No.

10/764,105

Examiner

DHIRU R. PATEL

Applicant(s)

DINH, CONG THANH

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/30/06 and 3/14/06.
2. ☒ The allowed claim(s) is/are 6-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 0306.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Dhiru R Patel
DHIRU R. PATEL
PRIMARY EXAMINER
3/20/06

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Salvatore Abbruzzese on 3/14/06.

In the claims:

Claim 8 (currently amended) In combination a bracket and an electrical junction box comprising: said electrical outlet box having a back wall, a side wall upstanding from and perimetrically bounding said back wall so as to define a box interior and an open face opposite said back wall, [.] and said bracket [comprising] having [.] a generally planar flange reversibly positionable on an upper edge of said side wall for spanning said open face of said box, said planar flange having an opening therethrough for accessing said box interior, said opening being bounded by a first extending boundary wall, said first boundary extending wall extending a first distance and in a first direction from said planar flange and a second extending boundary wall extending a second distance and in a second direction from said planar flange, said first distance being different from said second distance and said first direction being opposite said second direction, said first and second boundary walls being alternately insertable into said box interior upon said reversible positioning of said planar flange.

Response to Arguments

2. Attorney's argument on page 6 that The McNab reference does not anticipate claims 6-12 is convincing.

Allowable Subject Matter

3. Claims 6-12 are allowed :

The following is a statement of reasons for the indication of allowable subject matter:

The primary reasons for the indication of the allowability of claims 6-12 are the inclusion therein, in combination as currently claimed, of the limitation of a planar flange having opposed surfaces having a first position with one of said opposed surfaces being attachable to said open front face of said box and a reversible second position with the other of said opposed surfaces being attachable to said open front face of said box (for claims 6-7), said first and second boundary walls being alternately insertable into said box interior upon said reversible positioning of said planar flange (for claims 8-10), and Claims 11-12 are method counter part of product claim 8.

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DHIRU R PATEL
Primary Examiner
Art Unit 2831
3/20/06
